

UNITED STATES DISTRICT COURT

for the

EASTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)	
)	Case No.: CR-21-138-RAW
Plaintiff,)	
v.)	Date: 04/06/2023
)	
DEVIN WARREN SIZEMORE,)	Total Time: 2 hours and 29 minutes
Defendant.)	

MINUTE SHEET - JURY TRIAL

Ronald A. White, Judge T. Stephens, Deputy Clerk K. McWhorter, Court Reporter
Courtroom 2 - Room 224

Counsel for Plaintiff: Lisa Man and Gerald Collins, U.S. Department of Justice;
Joseph Dick, FBI Agent

Counsel for Defendant: Lisa Peebles and James Egan, Asst. Federal Public Defenders
w/ Defendant

<u>TIME</u>	<u>MINUTES</u>
8:58 a.m.	JURY IN. RECONVENE. Government's evidence continues. 12) Witness: Dr. David Arboe
9:57 a.m.	Government requested that the Stipulations be read into the record. Stipulations read.
9:59 a.m.	Government rested.
10:01 a.m.	JURY OUT. Defendant moved for judgment of acquittal pursuant to Rule 29 of the Federal Rules of Criminal Procedure. ENTERING FINDING: denying Defendant's motion for judgment of acquittal. (RAW) Discussion regarding witness schedule.
10:04 a.m.	RECESS
10:42 a.m.	RECONVENE. JURY IN. Defendant's evidence. 1) Witness: Allen Garoutte
10:51 a.m.	2) Witness: Sharon Wood
10:57 a.m.	3) Witness: Gaila Bass
11:13 a.m.	JURY OUT. Court advised defendant of his right to testify. Defendant confirmed that he understood his rights and his decision not to testify. Discussion regarding trial schedule.

11:16 a.m. RECESS

12:31 p.m. RECONVENE. JURY IN. Defendant's evidence continues.
4) Witness: Tina Lanham

12:41 p.m. 5) Witness: Michelle Rivera

12:48 p.m. 6) Witness: Casey Kincaid

12:52 p.m. 7) Witness: James Barnes

1:02 p.m. 8) Witness: Larry Paxton

1:07 p.m. Defendant rested.

Bench conference: Government made oral motion. Defendant objected. Motion overruled. (RAW)

Government rested. Court advised jury of trial schedule, excused them, and directed them to return on 4/7/2023 by 8:45 am with trial to begin at 9:00 am.

1:14 p.m. JURY OUT. Court directed Counsel to meet and confer regarding Jury Instructions and with the Clerk to confirm admitted trial exhibits. Court advised Counsel that they would be allowed 45 minutes each for closing argument.

1:18 p.m. RECESS for jury instruction conference.

2:39 p.m. RECONVENE JURY OUT. Defendant waived his right to be present. Court addressed jury instructions and verdict form. No objections by Government. No objections by Defendant. Court confirmed with Counsel that they were in agreement as to exhibits that would be submitted to the jury. Nothing further.

2:41 p.m. RECESS. Jury Trial to continue 4/7/2023 at 9:00 a.m.